**IN THE HIGH COURT OF JUDICATURE AT BOMBAY**
**CIVIL APPELLATE JURISDICTION**

**WRIT PETITION NO.7222 OF 2005**

Abdul Sattar Kasam Payak ...Petitioner.

Versus

Mulla Ahmed Abdul Ahmed Kadir
Mulla ...Respondents.

Shri A.G.Kundekar for the Petitioner.
Shri M.R. Katikar for Respondent No.1.

**CORAM : S.C.DHARMADHIKARI,J.**

**DATE : 30th JANUARY, 2006.**

**P.C. :**

. After hearing the learned Counsel appearing for the parties and perusing the orders passed by the authorities during the course of R.T.S.proceedings, in my view, no interference is necessary under Article 227 of the Constitution of India, when admittedly a Civil Suit filed by the petitioner i.e. Regular Civil Suit No.612 of 2001, is pending before the Court of Civil Judge, Junior Division, Ulhasnagar. The right, title and interest in the immovable property in question would have to be decided on the basis of the materials produced and needless to state that the orders during the course of such proceedings cannot influence the decision of the Civil Court at the trial of the Suit. Writ Petition is dismissed.

**( S.C.DHARMADHIKARI,J.)**